

Message Text

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PAGE 01 STATE 158136
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SUBJECT: CIVAIR - US PROPOSED TEXT OF AGREED MINUTES

FOLLOWING IS US PROPOSED TEXT OF AGREED MINUTES:

QUOTE. THE REPRESENTATIVES OF THE APPROPRIATE AUTHORITIES
OF JAPAN AND THE UNITED STATES OF AMERICA, AFTER HAVING HAD
CONSULTATIONS TO REACH PRACTICAL SOLUTIONS WITH REGARD TO
CERTAIN IMMEDIATE ISSUES, HAVE AGREED TO RECORD THE FOLLOW-
ING PROVISIONAL ARRANGEMENTS PENDING THE CONCLUSION OF THE
REVISION TALKS ON THE CIVIL AIR TRANSPORT AGREEMENT
BETWEEN THE TWO COUNTRIES.

1. CAPACITY ARRANGEMENT. REGARDING CAPACITY ARRANGEMENTS,
THE JAPANESE SIDE STATED AS FOLLOWS:
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PAGE 02 STATE 158136

"SETTING ASIDE DIFFERENCES OF VIEWS BETWEEN THE TWO
COUNTRIES CONCERNING THE AGREED MINUTE OF JANUARY 14, 1959,
JAPAN AND THE UNITED STATES SHOULD AGREE IN PRINCIPLE, AS A
PROVISIONAL MEASURE UNTIL THE COMPLETION OF THE REVISION
TALKS, TO FREEZE THE CAPACITY OF REGULARLY SCHEDULED SER-
VICES OF THE AIRLINES OF BOTH COUNTRIES (INCLUDING THE SUB-

STITUTION OF AIRCRAFT WITH GREATER CAPACITY) ON ALL THE

JAPAN-US ROUTES AS OF APRIL 1, 1977, WITH THE EXCEPTION OF THE FOUR ROUNDTRIP SERVICES PER WEEK ON TOKYO-SAIPAN ROUTE BY THE CONTINENTAL/AIR MICRONESIA AND JAPAN AIR LINES RESPECTIVELY.

"IN CASE JAPANESE OR US AIRLINES WISH TO INCREASE CAPACITY ON A SPECIFIC ROUTE, CONSULTATIONS SHOULD TAKE PLACE BETWEEN AIRLINES OR BETWEEN AUTHORITIES BASED ON THE EVALUATION OF SUPPLY-DEMAND RELATIONS ON THE SAID ROUTE. IT IS TO BE UNDERSTOOD THAT AN AIRLINE OF THE PARTY WHICH PROVIDES LESS CAPACITY IN THE SAID ROUTE WILL BE GIVEN PRIORITY TO INCREASE CAPACITY. THE INCREASE OF CAPACITY WOULD NOT BE PERMITTED IF NO AGREEMENT IS REACHED IN THE CONSULTATIONS."

THE US SIDE, IN RESPONSE, STATED AS FOLLOWS:

"THE UNITED STATES WOULD REFRAIN FROM SUBMITTING TO THE JAPANESE AUTHORITIES FURTHER INCREASES IN CAPACITY BY US SCHEDULED AIRLINES PRIOR TO DECEMBER 31, 1977, IT BEING UNDERSTOOD THAT NORMAL SEASONAL VARIATIONS IN CAPACITY MAY CONTINUE TO TAKE PLACE AND THAT US AIRLINES WILL RECEIVE THE SAME TREATMENT AS OTHER INTERNATIONAL AIRLINES WHEN OSAKA IS OPENED FOR USE BY WIDE-BODIED AIRCRAFT."
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PAGE 03 STATE 158136

IN ORDER TO REACH A PRACTICAL SOLUTION, THE JAPANESE AND THE US SIDES AGREED THAT THE CAPACITY OF THE RESPECTIVE AIRLINES SHOULD NOT BE INCREASED PENDING THE CONCLUSION OF THE REVISION TALKS, PROVIDED, HOWEVER, THAT IF THESE TALKS ARE NOT COMPLETED BY DECEMBER 31, 1977, THE TWO SIDES WILL CONSULT FOR THE PURPOSE OF CONSIDERING A LIMITED SHORT-TERM EXTENSION OF THIS UNDERSTANDING. IT IS UNDERSTOOD THAT THIS AGREEMENT WILL NOT PREJUDICE THE POSITION OF THE TWO COUNTRIES ON THE CAPACITY ISSUE. IN ADDITION, NORMAL SEASONAL VARIATIONS IN CAPACITY ON THE GUAM-JAPAN ROUTE WILL BE EXCLUDED FROM THIS UNDERSTANDING AS WELL AS THE FOLLOWING CASES:

(1) TOKYO-SAIPAN SERVICE. JAPAN AIR LINES AND CONTINENTAL/AIR MICRONESIA MAY COMMENCE SERVICES ON THE TOKYO-SAIPAN ROUTE ON OR AFTER JUNE 1, 1977, AT THE LEVEL OF FOUR ROUNDTRIP FLIGHTS PER WEEK FOR EACH AIRLINE AND MAY INCREASE THIS LEVEL TO SEVEN ROUNDTRIP FLIGHTS PER WEEK FOR EACH AIRLINE AS OF OCTOBER 1, 1977. IT IS UNDERSTOOD THAT CONTINENTAL/AIR MICRONESIA WILL UTILIZE B-727-100 AIRCRAFT FOR THIS PURPOSE.

(2) OSAKA-HONOLULU ROUTE BY PAN AMERICAN. THE JAPANESE SIDE WILL EXERT UTMOST EFFORTS TO SECURE THE NECESSARY

SLOTS AT OSAKA AIRPORT FOR THE OPERATION OF THE FOLLOWING PAN AMERICAN'S SERVICES.

UTILIZING THE SLOTS TO BE MADE AVAILABLE BY THE JAPANESE SIDE, PAN AMERICAN MAY OPERATE SERVICES ON THE OSAKA-HONOLULU ROUTE STARTING FROM JULY 22 THROUGH AUGUST 24, PROVIDED THAT IT WILL OBSERVE CONDITIONS STATED BELOW RECOGNIZING THE ENVIRONMENTAL PROBLEMS IN THE VICINITIES OF OSAKA AIRPORT:

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PAGE 04 STATE 158136

(I) NOISE EXPOSURE LEVEL SHOULD NOT EXCEED 107 DB(A) AT THE TIME OF LANDING AND TAKEOFFS.

(II) LANDING AND TAKEOFFS SHOULD BE SCHEDULED TO TAKE PLACE BETWEEN 8:00 A.M. AND 7:00 P.M.

(III) EXCESSIVE PUBLICITY SHOULD NOT BE GIVEN ON THE SERVICES BETWEEN OSAKA AND HONOLULU.

(3) TOKYO-HONOLULU-SAN FRANCISCO ROUTE BY JAPAN AIR LINES. JAPAN AIR LINES, IN ADDITION TO THE CURRENT SCHEDULED SERVICES, MAY OPERATE SERVICES ON THE TOKYO-HONOLULU-SAN FRANCISCO ROUTE AT THE LEVEL OF FIVE ROUNDTRIP FLIGHTS PER WEEK DURING JULY AND AUGUST AND FOUR ROUNDTRIP FLIGHTS PER WEEK DURING SEPTEMBER AND OCTOBER, UTILIZING B-747 AIRCRAFT.

(4) ALL-CARGO SERVICES. US AIRLINES MAY SUBSTITUTE NINE WEEKLY FLIGHTS OF CONVENTIONAL AIRCRAFT (DC-8-F OR B-707-F) WITH B-747-F AIRCRAFT AS FILED BY THE US SIDE ON A TEMPORARY BASIS THROUGH DECEMBER 31, 1977. JAPAN AIR LINES MAY INCREASE ITS CAPACITY EQUIVALENT TO NINE WEEKLY FLIGHTS OF CONVENTIONAL AIRCRAFT.

(5) INTRODUCTION OF WIDE-BODIED AIRCRAFT AT OSAKA AIRPORT. WITH REGARD TO THE QUESTION OF THE INTRODUCTION OF WIDE-BODIED AIRCRAFT BY US AIRLINES AT OSAKA AIRPORT, IT IS UNDERSTOOD THAT THIS WILL BE DISCUSSED DURING THE COURSE OF THE REVISION TALKS.

2. SAIPAN ISSUE. (1) BOTH SIDES AGREED TO RECOMMEND TO THEIR RESPECTIVE GOVERNMENTS TO TAKE NECESSARY MEASURES IN AMENDING JAPANESE ROUTE 4 TO READ "FROM JAPAN TO SAIPAN
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PAGE 05 STATE 158136

AND GUAM" IN ACCORDANCE WITH ARTICLE 16(A) OF THE CIVIL AIR TRANSPORT AGREEMENT.

BOTH SIDES ALSO AGREED THAT THEY WILL ISSUE NECESSARY PERMITS AS PROMPTLY AS POSSIBLE TO JAPAN AIR LINES AND CONTINENTAL/AIR MICRONESIA RESPECTIVELY SO THAT THEY MAY

COMMENCE THEIR SERVICES SIMULTANEOUSLY ON THE TOKYO-Saipan ROUTE, IT BEING UNDERSTOOD THAT JAPAN AIR LINES WILL FILE AN APPLICATION PROMPTLY WITH THE CAB FOR AMENDMENT OF ITS PERMIT.

(2) IT IS UNDERSTOOD THAT NEITHER US NOR JAPANESE AIRLINES WOULD OPERATE JAPAN-Saipan/MICRONESIA CHARTER FLIGHTS, NOR OPERATE CHARTER FLIGHTS BETWEEN TOKYO AND GUAM CARRYING CHARTER PASSENGERS DESTINED FOR SAIPAN.

(3) IT IS UNDERSTOOD THAT THE QUESTION OF GRANTING ADDITIONAL TRAFFIC RIGHTS TO JAPAN IN THE TRUST TERRITORY OF THE PACIFIC ISLANDS WILL SYMPATHETICALLY BE CONSIDERED IN THE REVISION TALKS.

3. SLOT QUESTION. IT IS UNDERSTOOD THAT THE TOTAL REGULARLY ASSIGNED SLOTS AT HANEDA AIRPORT FOR THE US SCHEDULED AIRLINES WILL BE 332 PER WEEK AS FOLLOWS:

PAN AMERICAN 126
NORTHWEST 132
FLYING TIGER 70
CONTINENTAL/AIR MICRONESIA 4

IT IS ALSO UNDERSTOOD THAT CONTINENTAL/AIR MICRONESIA MAY USE SLOTS WHICH ARE CURRENTLY ALLOCATED TO OTHER US AIRLINES AS STATED ABOVE FOR THE FLIGHTS EXCEEDING TWO WEEKLY FLIGHTS ON THE TOKYO-Saipan ROUTE.

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4. SLOTS FOR US SUPPLEMENTAL AIRLINES. THE JAPANESE SIDE WILL EXERT UTMOST EFFORTS TO SECURE THE NECESSARY SLOTS AT HANEDA AIRPORT FOR CHARTER FLIGHTS BY US SUPPLEMENTAL AIRLINES, PROVIDED THAT THEY WOULD OPERATE CHARTER FLIGHTS WITH SUCH DUE INTERVALS AND AT SUCH TIME AS MAY BE ALLOTTED BY THE JAPANESE AUTHORITIES, WHILE PAYING RESPECTS TO AND OBSERVING THE CURRENT SYSTEM IN JAPAN CONCERNING THE

ALLOCATION OF SLOTS.

5. EXERCISE OF FIFTH AND SIXTH FREEDOM RIGHTS. IN VIEW OF THE FACT THAT THIS QUESTION IS RELATED TO THE IMPLEMENTATION OF THE CURRENT AGREEMENT, IT WAS AGREED THAT THESE ISSUES, INCLUDING THE QUESTION OF OVERNIGHT STAY, SHOULD BE RESOLVED DURING THE REVISION TALKS.

(BLANK) FOR THE AERONAUTICAL AUTHORITIES OF JAPAN.

JACK B. BUTTON (TITLE).

TOKYO, JULY , 1977. UNQUOTE. VANCE

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